

# COMMITTEE REPORT

## MR. PRESIDENT:

The Senate Committee on Public Policy, to which was referred House Bill No. 1618, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 9-13-2-86 IS AMENDED TO READ AS
- 4       FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 86. "Intoxicated" means
- 5       under the influence of:
- 6       (1) alcohol;
- 7       (2) a controlled substance (as defined in IC 35-48-1);
- 8       (3) a drug other than alcohol or a controlled substance; or
- 9       (4) a combination of alcohol, controlled substances, or drugs;
- 10      so that there is an impaired condition of thought and action and the loss
- 11      of normal control of a person's faculties. ~~to an extent that endangers a~~
- 12      ~~person.~~".
- 13      Page 2, delete lines 31 through 42.
- 14      Page 3, delete lines 1 through 18, begin a new paragraph and insert:
- 15      "SECTION 7. IC 9-30-5-2 IS AMENDED TO READ AS
- 16      FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. **(a) Except as**
- 17      **provided in subsection (b),** a person who operates a vehicle while
- 18      intoxicated commits a ~~Class A~~ **Class C** misdemeanor.
- 19      **(b) An offense described in subsection (a) is a Class A**
- 20      **misdemeanor if the person operates a vehicle in a manner that**

1       **endangers a person.**

2       SECTION 8. IC 9-30-5-3 IS AMENDED TO READ AS FOLLOWS

3       [EFFECTIVE JULY 1, 2001]: Sec. 3. A person who violates section 1

4       or 2 of this chapter commits a Class D felony if:

5           (1) the person has a previous conviction ~~of operating while~~  
6           ~~intoxicated;~~ **under section 1 or 2 of this chapter;** and

7           (2) the previous conviction ~~of operating while intoxicated under~~  
8           **section 1 or 2 of this chapter** occurred within the five (5) years  
9           immediately preceding the occurrence of the violation of section  
10          1 or 2 of this chapter."

11       Page 6, delete lines 14 through 38.

12       Page 10, delete lines 36 through 39.

13       Renumber all SECTIONS consecutively.

(Reference is to HB 1618 as printed January 30, 2001.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 8, Nays 3.

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Wyss

Chairperson